

**James A. Saville**

---

**From:** Jeff Asperger [jasperger@asplaw.net]  
**Sent:** Tuesday, May 03, 2005 1:50 PM  
**To:** 'Whitman, M. Hamilton Jr.'; Robert G. Clyne; Jeff Asperger  
**Cc:** wcbailey@simmsshowers.com; bbrunk@gulfattorneys.com; jbartlett@semmes.com; bcole@semmes.com; agiles@semmes.com; FJGorman@GandWlaw.com; berniesevel@aol.com; jskeen@skaufflaw.com; clyon@semmes.com; Christine Cusack; Daile Grigaitis; James A. Saville  
**Subject:** RE: Tate & Lyle: remaining discovery

I am presuming that the court will enter the agreed order as requested, and I don't believe we should wait to schedule this discovery given how busy we all are. Tony, you indicated you have a difficult schedule. So do I. Is there a problem with talking about dates now? Thanks.

Jeff

-----Original Message-----

**From:** Whitman, M. Hamilton Jr. [mailto:mhwhitman@ober.com]  
**Sent:** Tuesday, May 03, 2005 10:59 AM  
**To:** Robert G. Clyne; Jeff Asperger  
**Cc:** wcbailey@simmsshowers.com; bbrunk@gulfattorneys.com; jbartlett@semmes.com; bcole@semmes.com; agiles@semmes.com; FJGorman@GandWlaw.com; berniesevel@aol.com; jskeen@skaufflaw.com; clyon@semmes.com; Christine Cusack; Daile Grigaitis; James A. Saville  
**Subject:** RE: Tate & Lyle: remaining discovery

Nor have I.

**M. Hamilton Whitman, Jr.**  
410-347-7354  
mhwhitman@ober.com

O B E R | K A L E R

*Attorneys at Law*

www.ober.com  
410-547-0699 -- Fax  
120 East Baltimore Street  
Baltimore, Maryland 21202

---

**From:** Robert G. Clyne [mailto:RClyne@hillrivkins.com]  
**Sent:** Tuesday, May 03, 2005 11:51 AM  
**To:** Jeff Asperger; Whitman, M. Hamilton Jr.  
**Cc:** wcbailey@simmsshowers.com; bbrunk@gulfattorneys.com; jbartlett@semmes.com; bcole@semmes.com; agiles@semmes.com; FJGorman@GandWlaw.com; berniesevel@aol.com; jskeen@skaufflaw.com; clyon@semmes.com; Christine Cusack; Daile Grigaitis; James A. Saville  
**Subject:** RE: Tate & Lyle: remaining discovery

What time limits are we talking about that have been set by the court? I have not seen an order.

7/14/2005

Robert G. Clyne  
Hill Rivkins & Hayden LLP  
45 Broadway, Suite 1500  
New York, NY 10006  
Tele (212)669-0600  
Fax (212)669-0698/0699

-----Original Message-----

**From:** Jeff Asperger [mailto:jasperger@asplaw.net]

**Sent:** Monday, May 02, 2005 8:47 PM

**To:** 'Whitman, M. Hamilton Jr.'

**Cc:** Robert G. Clyne; 'wcbailey@simssshowers.com'; 'bbrunk@gulfattorneys.com';  
'jbartlett@semmes.com'; 'bcole@semmes.com'; 'agiles@semmes.com';  
'FJGorman@GandWlaw.com'; 'berniesevel@aol.com'; 'jskeen@skaufflaw.com';  
'clyon@semmes.com'; Christine Cusack; Daile Grigaitis; James A. Saville

**Subject:** Tate & Lyle: remaining discovery

Tony and folks,

I propose the week of June 13 for the depo of Heiner Popp and our wire rope expert, Mike Parnell. The latter part of the week would work best. Please advise so that we can complete this discovery within the time limits set by the court. I will check dates with Mr. Parnell and follow up if you would advise of the availability of Capt. Popp. Thanks.

Jeff

Jeffrey J. Asperger  
Asperger Associates LLC  
Three Illinois Center  
303 E. Wacker Dr. Suite 1000  
Chicago, IL 60601  
PH: 312.856.9901  
FAX: 312.856.9905

This message contains material that may be **ATTORNEY/CLIENT privileged, confidential and exempt from disclosure** under applicable law. If you are not the intended recipient of this message, any dissemination, distribution or copying of this message is strictly prohibited. If you have received this e-mail in error, please notify us immediately by replying to this message and then permanently deleting the original. Your receipt of this message is not intended to waive any applicable privileges.

7/14/2005